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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

GLORIA A. MESTAYER,  
  
Plaintiff,  
  
v.  
  
CAPITAL ONE BANK (USA), N.A. and  
EXPERIAN INFORMATION  
SOLUTIONS, INC.,  
  
Defendants.

Case No. 3:15-cv-03645-EMC  
  
*Assigned to Hon. Edward M. Chen*  
  
**[PROPOSED] ORDER  
EXTENDING DEFENDANT  
CAPITAL ONE BANK (USA),  
N.A.'S TIME TO RESPOND TO  
THIRD AMENDED  
COMPLAINT**  
  
*[Stipulation to Extend Time to  
Respond to Third Amended  
Complaint filed concurrently  
herewith]*  
  
TAC Filed: July 20, 2016  
Current Resp. Date: August 8, 2016  
New Resp. Date: August 31, 2016

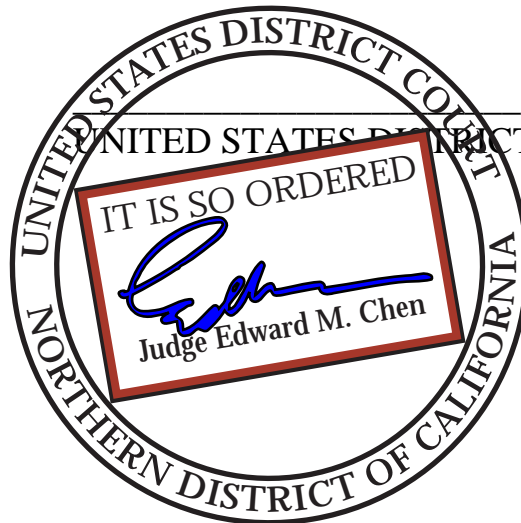
**ORDER**

The Court has reviewed the Stipulation filed by Gloria A. Mestayer (“Plaintiff”), by and through her counsel of record, Clark Ovruchesky, and Defendant Capital One Bank (USA), N.A. (“Capital One”), by and through its counsel of record, Johari N. Townes of Doll Amir & Eley LLP, to amend the date by which Capital One must respond to Plaintiff’s Third Amended Complaint, such that the responsive pleading shall now be August 31, 2016 (the “Stipulation”). The Stipulation is incorporated herein by reference. Good cause appearing thereon, the Court hereby orders as follows:

Capital One’s time to file a responsive pleading to Plaintiff’s Third Amended Complaint is extended. Capital One shall file its responsive pleading on or before August 31, 2016.

**IT IS SO ORDERED.**

DATED: 7/29/16



**PROOF OF SERVICE****STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is **1888 Century Park East, Suite 1850, Los Angeles, California 90067.**


On July 27, 2016, I served the foregoing document described as **[PROPOSED] ORDER EXTENDING DEFENDANT CAPITAL ONE BANK (USA), N.A.'S TIME TO RESPOND TO THIRD AMENDED COMPLAINT** on the interested parties in this action by placing the original and/or a true copy thereof enclosed in (a) sealed envelope(s), addressed as follows:

**SEE ATTACHED SERVICE LIST**

- ☐ **BY REGULAR MAIL:** I deposited such envelope in the mail at 1888 Century Park East, Suite 1850, Los Angeles, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.
- ☐ **BY FACSIMILE MACHINE:** I transmitted a true copy of said document(s) by facsimile machine, and no error was reported. Said fax transmission(s) were directed as indicated on the service list.
- ☐ **BY OVERNIGHT DELIVERY:** I caused such documents to be delivered overnight via an overnight delivery service in lieu of delivery by mail to the addressees. The envelope or package was deposited with delivery fees thereon fully prepaid.
- ☐ **BY ELECTRONIC MAIL:** I transmitted a true copy of said document(s) via electronic mail, and no error was reported. Said email was directed as indicated on the service list.
- ☐ **BY PERSONAL SERVICE:** I caused such envelope(s) to be delivered by hand to the above addressee(s).
- ☒ **BY CM/ECF:** I electronically transmitted a true copy of said document(s) to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the aforementioned CM/ECF registrants.

I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 27, 2016, at Los Angeles, California.

  
Diana Kang

**SERVICE LIST**

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